

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

FILED
CLERK OF COURT
01 AUG 27 AM 9:42

CLERK OF COURT
01 AUG 27 AM 9:42
88-98-5183
CHAPTER 7

IN RE:

JAMES W. CAPPS, DEBTOR

TRUSTEE'S FINAL REPORT, APPLICATION FOR
COMPENSATION AND REPORT OF PROPOSED DISTRIBUTION

WM. RANDAL WRIGHT, Trustee of the Estate of the above named Debtor, certifies to the Court and the United States Trustee, that the Trustee has faithfully and properly fulfilled the duties of the office of the trustee; that the Trustee has examined all proofs of claim as appropriate under the proposed distribution; and that the proposed distribution, attached hereto, is proper and consistent with the law and rules of Court. The Trustee applies for commissions and expenses set forth herein and states that they are reasonable and proper.

THEREFORE, the Trustee requests that the Final Report, Application for Compensation and Report of Proposed Distribution be accepted.

DATED this 27th day of July, 2001.

Wm R Wright
WM. RANDAL WRIGHT (78176)
Attorney at Law
P. O. Box 1317
Hope, Arkansas 71802-1317
(870) 777-5483

REVIEW BY UNITED STATES TRUSTEE

I have reviewed the Trustee's Final Report, Application for Compensation and Report of Proposed Distribution.

United States Trustee
Eastern District of Texas

DATE: 8-8-01

BW

123

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

IN RE:)
)
JAMES W. CAPPS) CASE NO. 98-51989
) Chapter 7
DEBTOR)

TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION AND
APPLICATION TO CLOSE CASE AND DISCHARGE TRUSTEE

The Trustee of the estate presents the following final report:

1. The Trustee applies for commissions and expenses set forth in Schedule A and states: That they are reasonable and proper; that in the course of the performance of duties, the Trustee has advanced monies from personal funds for expenses, and that the Trustee has not been reimbursed or indemnified.

2. The Trustee submits Form I as a summary of the assets and an estate property record. Any property scheduled under 11 U.S.C. Sec. 521(1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. Sec. 554(c).

3. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them and the estate is ready to be closed.

4. The Trustee submits Form II as the account of estate cash receipts and disbursements.

5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.

6. The Trustee requests approval of this final report.

7. The Trustee has examined each and every claim filed and noted his approval of claims as filed, or he has filed objections to allowance or requests for reclassification.

8. The Trustee further requests that after final distribution of all monies in accordance with the Trustee's Report of Final Distribution, and upon filing of a Supplemental Final Report and Account and certification by the U. S. Trustee the Trustee be discharged from office and that the case be closed.

I declare under penalty of perjury that this Report and attached Schedules are true and correct to the best of my knowledge and belief.

Dated: July 27, 2001


WM. RANDAL WRIGHT, Trustee

CASE NAME: James W. Capps

CASE NUMBER: 98-51989

SCHEDULE A-1

FINAL ACCOUNT AS OF: 7/27/01

A. RECEIPTS 217,889.70 /

B. DISBURSEMENTS

(1) Secured Creditors 197,000.00

(2) Administrative 8,699.38

(3) Priority .00

(4) Other .00

TOTAL DISBURSEMENTS 205,699.38

CURRENT BALANCE 12,190.32

TRUSTEE'S FINAL REPORT CASE SUMMARY

TRUSTEE:

WRIGHT

COMMENTS:

CASE NAME:

CAPPS, JAMES

CASE NUMBER:

98-51989

DATE UST APPROVED:

08-08-01

ESTATE INCOME:

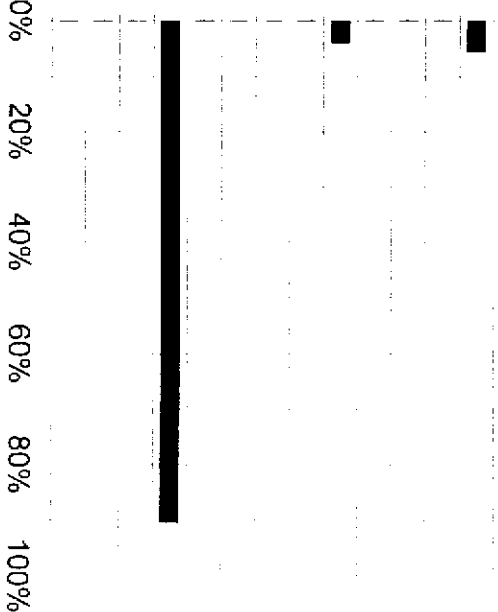
TOTAL RECEIPTS:

\$217,889.70

100.00%

ESTATE EXPENSES:

TRUSTEE'S COMMISSION	12,190.32	5.59%
TRUSTEE'S EXPENSES	0.00	0.00%
FIRM'S PROFESSIONAL FEES	0.00	0.00%
FIRM'S PROFESSIONAL EXPENSES	0.00	0.00%
OTHER ATTORNEY FEES	8,699.38	3.99%
OTHER PROFESSIONAL FEES	0.00	0.00%
COURT COSTS	0.00	0.00%
ESTATE EXPENSES(TAXES, ETC)	0.00	0.00%
PRIOR CHAPTER COSTS	0.00	0.00%
SECURED CLAIMS PAID	197,000.00	90.41%
PRIORITY CLAIMS PAID	0.00	0.00%
UNSECURED CLAIMS PAID	0.00	0.00%
OTHER(RETURN TO DEBTOR, ETC)	0.00	0.00%



UNSECURED CLAIMS
ALLOWED

133,385.25

UNSECURED CLAIMS
PAID

0.00

PERCENT RECOVERED
FOR UNSECURED

0.00%

INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT ASSET CASES

Case No.: 98-51989
Case Name: JAMES W. CAPPS
For Period Ending: 07-27-01

Trustee Name: Wm. Bandal Wright
Date Filed (f) or Converted (c): F-06/11/98
§ 341(a) Meeting Date: 07/17/98
Claims Bar Date: 03/29/99

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=§ 554(a) abandon. DA=§ 554(c) abandon.	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ref. #					
01 1303 East First	102,000.00	.00	DA		FA
02 1/2 int. 43/6 ac	10,000.00	.00	OA		FA
03 cash	200.00	.00	DA		FA
04 ckg-1st American	250.00	.00	DA		FA
05 ckg-Guaranty	500.00	.00	DA		FA
06 household goods	3,500.00	.00	DA		FA
07 books, pictures	750.00	.00	DA		FA
08 wearing apparel	1,500.00	.00	DA		FA
09 furs and jewelry	500.00	.00	DA		FA
10 shotgun & pistol	400.00	.00	DA		FA
11 401(k) plan	800.00	.00	DA		FA
12 40 shares inter.stk	1,000.00	.00	DA	1,000.00	FA
13 218 shares 1st Am	3,315.00	.00	DA		FA
14 80 shares Oakwood	unknown	unknown		216,000.00	FA
15 1993 Park Avenue	1,250.00	.00	DA		FA
16 Interest					
TOTALS (Excluding unknown values)		<u>1,000.00</u>		<u>217,889.70</u>	<u>00</u>
				<u>889.70</u>	<u>Gross Value of Remaining Assets</u>
					<u>(Total Dollar Amount in Column 6)</u>

Major activities affecting case closing:

~~~~~

Initial Projected Date of Final Report (TFR): 06/30/98 Current Projected Date of Final Report (TFR): 07-27-01

ΕΠΙΛΟΓΗ 7

98-51989  
James W. Caps  
459544653  
07-27-01

WM. Randal Wright  
BancorpSouth Bank  
97-157-2  
\$300,000  
n/a

[illegible]

|                           |                   |                   |                  |
|---------------------------|-------------------|-------------------|------------------|
| COLUMN TOTALS             | 217,889.70        | 205,699.38        | 12,190.32        |
| Less: Bank transfers/CDS  |                   |                   |                  |
| Subtotal                  | <u>217,889.70</u> | <u>205,699.38</u> | <u>12,190.32</u> |
| Less: Payments to debtors |                   |                   |                  |
| Net                       | <u>217,889.70</u> | <u>205,699.38</u> | <u>12,190.32</u> |

FILED  
U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
2000 OCT -3 PH 3: 27

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS

EOD

IN RE:  
JAMES W. CAPPS  
DEBTOR

OCT 03 2000

§  
§  
§

CASE NO. 98-51989  
CHAPTER 7

CLERK, U.S. BANKRUPTCY  
COURT

BY RH DEPUTY

AGREED ORDER APPROVING JOINT MOTION TO APPROVE  
COMPROMISE AND SETTLEMENT AGREEMENT

Came on for consideration the Joint Motion to Approve Compromise and Settlement Agreement ("Joint Motion") filed in the above-captioned and numbered bankruptcy case ("Bankruptcy Case") and the Court having considered the Joint Motion, the relevant pleadings, the arguments of counsel and the evidence presented makes the following findings and conclusions:

1. Due and proper notice has been given to all parties entitled to notice.
2. Good cause exists for granting the relief sought in the Joint Motion.
3. This Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334.
4. This matter constitutes a "core" proceeding within the meaning of 28 U.S.C. § 157(b)(2)(A) and (O).
5. The granting of the relief sought in the Joint Motion will resolve substantial issues.
6. The terms of the Compromise and Settlement Agreement, a copy of which is attached hereto and incorporated herein, are in the best interest of the creditors and the bankruptcy estate.
7. The Compromise Settlement Agreement represents a fair and equitable method of resolving the disputed issues.
8. The Joint Motion and the Compromise and Settlement Agreement meet

the criteria for a settlement and compromise pursuant to Rule 9019(a) of the Federal Rules of Bankruptcy Procedure. Therefore, it is accordingly.

ORDERED, ADJUDGED AND DECREED that (a) the relief requested in the Joint Motion shall be and hereby is GRANTED; (b) the Compromise and Settlement Agreement is approved in all respects, (c) the parties to the Compromise and Settlement Agreement shall be bound by the terms thereof; and (d) the parties are authorized and directed to perform all transactions contemplated in the Compromise and Settlement Agreement

Signed on the 31 day of October, 2000.

  
HONORABLE DONALD R. SHARP,  
UNITED STATES BANKRUPTCY JUDGE




APPROVED AS TO FORM AND SUBSTANCE:

JACKSON WALKER, L.L.P.  
905 Main Street, Suite 6000  
Dallas, Texas 75202  
214/953-6000 (Telephone)  
214/953-5822 (Facsimile)


By: 

Robert G. Richardson  
State Bar No. 16869300

ATTORNEYS FOR SAM LEE

  
David L. James  
State Bar No. 10538600  
MILLER, JAMES, MILLER,  
WYLY & HORNSBY, L.L.P.  
P.O. Box 2044  
1012 Olive Street  
Texarkana, Texas 75504  
903/794-2711 (Telephone)  
903/792-1276 (Facsimile)

ATTORNEYS FOR JAMES W. CAPPS

  
Joseph A. Friedman  
State Bar No. 07468280  
KANE, RUSSELL, COLEMAN  
AND LOGAN, P.C.  
1601 Elm Street, Suite 3700  
Dallas, Texas 75201  
214/777-4200 (Telephone)  
214/777-4299 (Facsimile)

ATTORNEYS FOR GUARANTY BANK  
AND GUARANTY BANCSHARES

APPROVED:

PATTON, HALTOM, ROBERTS,  
MCWILLIAMS & GREER, L.L.P.  
700 Texarkana National Bank Building  
Post Office Box 1928  
Texarkana, Texas 75504-1928  
Telephone: (903) 794-3341  
Facsimile: (903) 792-6542

*Phillip N. Cockrell; Richard A. Adams*  
Phillip N. Cockrell  
Bar No. 04465500  
Richard A. Adams  
Bar No. 00786956

*by permission*  
*[Signature]*

ATTORNEYS FOR TRUSTEE

AGREED ORDER APPROVING JOINT MOTION TO APPROVE  
COMPROMISE AND SETTLEMENT AGREEMENT - Page 4

RECEIVED OCT 13 2000

IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION

01 JUN -6 AM 11:35

CLERK OF BANKRUPTCY

IN RE:

EUU

JAMES W. CAPPS,  
DEBTOR

JUN 06 2001

CASE NO. 98-51989 DEPUTY  
CHAPTER 7

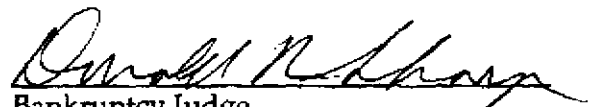
**ORDER APPROVING APPLICATION FOR PAYMENT  
OF FEES AND EXPENSES OF TRUSTEE'S ATTORNEY**

This cause comes on before the Court on the Application for Payment of Fees and Expenses of Trustee's Attorney and Notice combined therein, and no objections being filed herein. The Trustee was represented by his attorney, Phillip N. Cockrell, and the Court, being well and sufficiently advised as to the premises, finds:

The proposed application for payment of fees and expenses of Trustee's attorney in the sum of \$8,204.25, and expenses incurred in the amount of \$495.13, as set forth in said Application, should be and hereby is approved.

IT IS SO ORDERED.

June 5, 2001

  
Bankruptcy Judge

~~cc: Wm. Randal Wright  
P.O. Box 1317  
Hope, Arkansas 71802-1317~~

UNITED STATES BANKRUPTCY COURT  
Eastern District of Texas  
Texarkana Division

IN RE:  
James W. Capps

Case No.: 98 - 51989

Debtor(s).

Chapter: 7

## Notice of Entry of Order

Please Take Notice that an Order (document 121) was entered on the docket on **June 6, 2001**.

Order Granting [118-1] Application For Compensation: \$  
8,204.25 And Expenses: \$ 495.13 by Phillip N. Cockrell .

Dated: 06/06/01

James D. Tokoph  
Clerk, U.S. Bankruptcy Court

### NOTICE

This notice is being served in lieu of the actual order. Should any further action be contemplated on this matter, the actual order should be referenced.

PACER (Public Access to Court Electronic Documents) subscribers can obtain a copy of this Order directly from the Court's PACER web site at [pacer.txeb.uscourts.gov](http://pacer.txeb.uscourts.gov) or through the Court's own web site at [www.txeb.uscourts.gov](http://www.txeb.uscourts.gov). There is a fee of \$0.07 per page charged to your PACER account.

You must be registered with the PACER Service Center to access the PACER system. You may register at their web site at [pacer.psc.uscourts.gov](http://pacer.psc.uscourts.gov) or by calling them at (800)676-6856.

A copy of this Order may also be obtained by contacting a copy service. An up to date list of the copy services which do business with the Court is available on the Court's own web site or by calling the Court directly. The fees charged by each copy service may vary greatly.

8204.25  
495.13  

---

8699.38

## SCHEDULE B - APPLICATION FOR COMPENSATION

### COMPUTATION OF COMPENSATION

Total disbursements to other than the debtors are \$217,889.70.  
Pursuant to 11 U.S.C. §326, compensation is computed as follows:

|                              |                      |             |
|------------------------------|----------------------|-------------|
| \$217,889.70                 | 25% of first \$5,000 | \$ 1,250.00 |
| Less 5,000.00                | (\$1,250 maximum)    |             |
| Balance \$212,889.70         | 10% of next \$45,000 | \$ 4,500.00 |
| Less 45,000.00               | (\$4,500 maximum)    |             |
| Balance \$167,889.70         | 5% of next \$950,000 | \$ 8,394.49 |
|                              | (\$47,500 maximum)   |             |
| TOTAL COMPENSATION REQUESTED |                      | \$14,144.49 |

### UNREIMBURSED EXPENSES

|                                                        |           |
|--------------------------------------------------------|-----------|
| Recording fees .....                                   | \$ .00    |
| Premium on Trustee's Bond .....                        | .00       |
| Necessary Travel: first meeting-70 miles @ .30 mile .. | 21.00     |
| Paraprofessional .....                                 | .00       |
| Clerical and Stenographic: 4 hours @ \$35 hour .....   | 140.00    |
| Photocopy: 250 @ .25 copy .....                        | 62.50     |
| Long Distance Telephone Charges (FAX) .....            | .00       |
| Postage .....                                          | 25.00     |
| Distribution expenses .....                            | 15.00     |
| <hr/>                                                  |           |
| TOTAL UNREIMBURSED EXPENSES .....                      | \$ 263.50 |

CASE NAME: James W. Capps

CASE NUMBER: 98-51989

SCHEDULE C

EXPENSES OF ADMINISTRATION

|                                                                               | (1)<br>Amount<br>Claimed | (2)<br>Amount<br>Allowed | (3)<br>Previously<br>Paid | (4)<br>Due |
|-------------------------------------------------------------------------------|--------------------------|--------------------------|---------------------------|------------|
| 1. 11 U.S.C. Sec.507(a)(1)<br>Court Costs and Fees                            |                          |                          |                           |            |
| 2. 11 U.S.C. Sec.503(b)(1)(A)<br>Preservation of estate                       |                          |                          |                           |            |
| A. Transportation                                                             |                          |                          |                           |            |
| B. Storage                                                                    |                          |                          |                           |            |
| C. Wages                                                                      |                          |                          |                           |            |
| D. Estate's share FICA                                                        |                          |                          |                           |            |
| E. Insurance                                                                  |                          |                          |                           |            |
| F. Upkeep                                                                     |                          |                          |                           |            |
| G. Others (itemize)                                                           |                          |                          |                           |            |
| 3. 11 U.S.C. Sec.503(b)(1)(B)<br>Post-Petition taxes and<br>related penalties |                          |                          |                           |            |
| 4. 11U.S.C. Sec.503(b)(2)<br>Compensation and<br>Reimbursement                |                          |                          |                           |            |
| A. Compensation of Trustee                                                    | 14,144.49                | 14,144.49                | .00                       | 14,144.49  |
| B. Expenses of Trustee                                                        | 263.50                   | 263.50                   | .00                       | 263.50     |
| C. Compensation of<br>Attorney to Trustee                                     | 8,204.25                 | 8,204.25                 | 8,204.25                  | .00        |
| D. Expenses of Attorney<br>to Trustee                                         | 495.13                   | 495.13                   | 495.13                    | .00        |
| E. Compensation of Debtor's<br>Attorney                                       |                          |                          |                           |            |
| F. Expenses of Debtor's<br>Attorney                                           |                          |                          |                           |            |
| G. Compensation of<br>Accountant to Trustee                                   |                          |                          |                           |            |
| H. Compensation of<br>Auctioneer                                              |                          |                          |                           |            |
| I. Compensation of<br>Appraiser                                               |                          |                          |                           |            |
| 5. Court Special Charges<br>(Execess Notices)                                 |                          |                          |                           |            |
| 6 U. S. Trustee fees                                                          |                          |                          |                           |            |
| 7. Other (list)                                                               |                          |                          |                           |            |
| Totals:                                                                       | 23,107.37                | 23,107.37                | 8,699.38                  | 14,407.99  |

CASE NAME: James W. Capps

CASE NUMBER: 98-51989

SCHEDULE D

SECURED CLAIMS

| Claim<br>Due<br>No. | Secured Claim<br>(creditor name) | Amount<br>Claimed | Amount<br>Allowed | Previously<br>Paid |
|---------------------|----------------------------------|-------------------|-------------------|--------------------|
| Claim #1            | Sam Lee                          | 600,000.00        | 197,000.00        | 197,000.00         |
| Claim #             | Bosque Asset                     | 41,420.00         | .00               | .00                |
| Claim #             | Comm. Loan Sys.                  | 120,818.00        | .00               | .00                |
| Claim #             |                                  |                   |                   |                    |
| Total               |                                  | 762,238.00        | 197,000.00        | 197,000.00         |

CASE NAME: James W. Capps

CASE NUMBER: 98-51989

SCHEDULE E

PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES IN THE  
FOLLOWING ORDER OF PRIORITY

|                                                                       | (1)<br>Amount<br>Claimed | (2)<br>Amount<br>Allowed | (3)<br>Previously<br>Paid | (4)<br>Due |
|-----------------------------------------------------------------------|--------------------------|--------------------------|---------------------------|------------|
| 1. For Credit extended<br>Sec.364(e)(1)                               |                          |                          |                           |            |
| 2. Claims from failure<br>of "adequate protec-<br>tion" Sec.307(a)(b) |                          |                          |                           |            |
| 3. "Gap Claims"<br>Sec.507(a)(2)                                      |                          |                          |                           |            |
| 4. Wages, etc.<br>Sec.507(a)(2)                                       |                          |                          |                           |            |
| 5. Contributions to<br>benefit plans<br>Sec.507(a)(4)                 |                          |                          |                           |            |
| 6. Consumer deposits<br>Sec.507(a)(6)                                 |                          |                          |                           |            |
| 7. Taxes<br>Sec.507(a)(7)                                             |                          |                          |                           |            |
| 8. Other: No Basis                                                    |                          |                          |                           |            |
| TOTALS:                                                               | .00                      | .00                      | .00                       | .00        |

PARTIES AFFECTED:

| Priority<br>No. | Name of Creditor(s) | Priority<br>No. | Name of Creditor(s) |
|-----------------|---------------------|-----------------|---------------------|
| n/a             |                     |                 |                     |

FULLY UNSECURED CLAIMS TOTAL: 133,385.25

SUBORDINATED UNSECURED CLAIMS: n/a



James W. Capps

Last Date to File Claims: 12/29/98

98-51989

03/29/99-government

| Name and Address of Claimant                                                                                                                                                          | Amount of Claims<br>Filed and Allowed                        | Remarks |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|---------|
| No: 1<br>Filed: 10/09/98<br>NationsBank of Delaware, N.A.<br>c/o P.O. Box 2278<br>Norfolk, VA 23501-2278                                                                              | Filed Amt:<br>2,414.80 g                                     |         |
| No: 2<br>Filed: 10/23/98<br>American Express Centurion Bank<br>c/o Becket & Lee<br>P.O. Box 3001<br>Malvern, PA 19355-0701                                                            | Filed Amt:<br>4,414.58 g                                     |         |
| No: 3<br>Filed: 11/02/98<br>American Express Centurion Bank<br>c/o Becket & Lee<br>P.O. Box 3001<br>Malvern, PA 19355-0701                                                            | Filed Amt:<br>5,638.00 g                                     |         |
| No: 4<br>Filed: 11/09/98<br>Greenwood Trust Company<br>NOVUS Services, Inc.<br>P.O. Box 8003<br>Hilliard, OH 43026                                                                    | Filed Amt:<br>4,709.47 g                                     |         |
| No: 5<br>Filed: 12/28/98<br>Sam Lee<br>c/o Robert G. Richardson<br>Jackson, Walker, LLP<br>901 Main St., Ste 6000<br>Dallas, TX 75202                                                 | Filed Amt:<br>600,000.00 <del>g</del> s                      |         |
| No: 6<br>Filed: 12/29/98<br>Friedman, Young & Suder<br>20th Floor, 500 Throckmorton<br>Fort Worth, TX 76102                                                                           | Filed Amt:<br>43,000.00 g                                    |         |
| No: 7<br>Filed: 07/20/98<br>Bosque Asset Corporation<br>c/o Settle & Pou<br>Comerica Bank Bldg, Ste 1000<br>4131 N. Central Expressway<br>Dallas, TX 75204                            | Filed Amt:<br>71,228.64 g<br>41,420.00 s<br>112,648.64 Total |         |
| No: 8<br>Filed: 07/20/98<br>Commercial Loan Systems, Inc.<br>c/o Allen Smith - Settle & Pov.<br>Comerica Bank Bldg., St. 1000<br>4131 North Central Expressway<br>Dallas, Texas 75206 | Filed Amt:<br>1,979.76 g<br>120,818.00 s<br>122,797.76 Total |         |

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION

IN RE: JAMES W. CAPPS { CASE 98-51989  
DEBTOR(S) { CHAPTER 7

TRUSTEE'S REPORT OF  
PROPOSED FINAL DISTRIBUTIONS

The undersigned Trustee of the estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distributions.

The Court has entered orders which have become final, and which dispose of all objections to claims, all objections to the Trustee's Final Report, all applications for compensation, and all other matters which must be determined by the Court before final distribution can be made.

The Trustee proposes to make final distribution of the funds of the estate as follows, and will make such distribution unless written objection thereto is made, filed and served on the Trustee and on the United States Trustee.

|                                                                                            |                 |
|--------------------------------------------------------------------------------------------|-----------------|
| 1. BALANCE ON HAND                                                                         | \$ 12,190.32    |
| 2. ADMINISTRATIVE EXPENSE<br>TO BE PAID(See attached<br>schedule of payees<br>and amounts) | <hr/> 12,190.32 |
| 3. SECURED CLAIMS TO BE PAID<br>(See attached schedule of<br>payees and amounts)           | .00             |
| 4. PRIORITY CLAIMS TO BE PAID<br>(See attached schedule of<br>payees and amounts)          | .00             |
| 5. UNSECURED CLAIMS TO BE PAID<br>(See attached schedule of<br>payees and amounts)         | .00             |
| 6. OTHER DISTRIBUTIONS TO BE PAID<br>(See attached schedule of<br>payees and amounts)      | .00             |
| 7. TOTAL DISBRIBUTIONS TO BE MADE<br>(Sum of lines 2 through 6)                            | 12,190.32       |
| 8. ZERO BALANCE AFTER ALL DISTRIBUTIONS<br>(Line 1 less line 7)                            | <hr/> .00       |

By: 

TRUSTEE

WM. RANDAL WRIGHT

CASE NAME: James W. Capps

CASE NUMBER:

98-51989

TRUSTEE'S PROPOSED DISTRIBUTION

AMOUNT  
CLAIMED

AMOUNT  
ALLOWED

AMOUNT TO  
BE PAID

SECURED:

CHAPTER 7 ADMINISTRATIVE:

|                            |           |           |           |
|----------------------------|-----------|-----------|-----------|
| Wm. Randal Wright, Trustee | 14,144.49 | 14,144.49 | 12,190.32 |
| WRW, Trustee - expenses    | 263.50    | 263.50    | .00       |

PRIORITY CLAIMS:

UNSECURED CLAIMS:

SUBORDINATED UNSECURED CLAIMS:

TOTAL

12,190.32

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION

IN RE: JAMES W. CAPPS

/ BANKRUPTCY CASE: 98-51989

/

/ CHAPTER 7

**NOTICE OF FILING OF FINAL REPORT OF TRUSTEE.  
APPLICATION FOR COMPENSATION AND PROPOSED DISTRIBUTIONS**

NOTICE IS GIVEN that the Trustee's Final Report and Account, report of Proposed Final Distribution and Applications for Compensation have been filed. These documents are available for public inspection at the office of the Bankruptcy Clerk, 200 E. Ferguson, Tyler, Texas 75702, or at the trustee's office whose name and address is as follows:

WM. RANDALL WRIGHT 301 WEST 16<sup>th</sup> STREET PO BOX 1317 HOPE, AK 71802

The following Applications for Compensation have been filed:

| <u>Applicants</u>                | <u>Fees Requested</u>       | <u>Expenses Requested</u>   |
|----------------------------------|-----------------------------|-----------------------------|
| <u>RANDALL WRIGHT</u><br>Trustee | <u>14144.49</u>             | <u>263.50</u>               |
| <u>Attorney for Trustee</u>      | <u>                    </u> | <u>                    </u> |
| <u>U. S. Bankruptcy Court</u>    | <u>0.00</u>                 | <u>                    </u> |

The trustee's account shows:

| <b>Total Receipts</b> | <b>Total Disbursements</b> | <b>Balance</b>     |
|-----------------------|----------------------------|--------------------|
| <u>\$ 217889.70</u>   | <u>\$ 205699.38</u>        | <u>\$ 12190.32</u> |

In addition to the commissions and fees that may be allowed by the Court, liens and priority claims which must be paid in advance of general creditors have been allowed in the total amount of \$ 0.00 ; general unsecured claims have been allowed in the amount of \$ 133385.25 .  
The debtor has/has not been discharged.

Written objections to the Final Report, Application for Compensation and/or proposed Distributions must be filed with the Clerk of the Court and served on the trustee at the above mentioned address within 30 days from the date of this notice. If no objections are filed, the Court may consider the Report and Applications without hearing. If objections are filed, a hearing will be held on \_\_\_\_\_

at \_\_\_\_\_

Date: \_\_\_\_\_

**JAMES D. TOKOPH**, Clerk of Court

By: \_\_\_\_\_  
Deputy Clerk

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION

IN RE:

JAMES W. CAPPS, DEBTOR ..... NO. 98-51989  
CHAPTER 7

ORDER APPROVING TRUSTEE'S FINAL REPORT  
AND ACCOUNT, APPLICATIONS FOR COMPENSATION  
AND PROPOSED DISTRIBUTION TO CLAIMANTS

Comes now the Court and finds that Notice has been given to all creditors and parties in interest of the filing of the Trustee's Final Report and Account, Applications for Compensation and Proposed Distribution to Claimants. No objections have been filed within the time fixed by the Court; therefore, it is hereby

ORDERED that the Trustee's Final Report and Account, Applications for Final Compensation and Proposed Distribution to Claimant is approved and confirmed, and the Trustee is hereby authorized and directed to pay the following sums which are hereby fixed, established, allowed and ordered paid under 11 U.S.C. §330(a) and §503(b)(2)(4):

| <u>APPLICANTS</u>          | <u>COMMISSION/FEE'S</u> | <u>EXPENSES</u> |
|----------------------------|-------------------------|-----------------|
| Wm. Randal Wright, Trustee | \$14,144.49             | \$263.50        |

It is further ORDERED that the distribution proposed by the Trustee in his Final Report and Account is hereby fixed, established, allowed and ordered paid, as set forth in said proposed distribution.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
U. S. BANKRUPTCY JUDGE

cc: Wm. Randal Wright  
P. O. Box 1317  
Hope, Arkansas 71802-1317

Assistant U. S. Trustee's Office